

Washoe Tribe of Nevada and California



December 7, 2009

Mr. Jared Blumenfeld
Region 9 Regional Administrator
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Dear Mr. Blumenfeld,

Enclosed please find the Washoe Tribe of Nevada and California's 319(h) Tribal Non-point Source Grant Application 10% Match Waiver Request for the FY10 funding allocation.

The Tribe in the past five years has had four disaster declarations one was the Waterfall Fire, two with dealing with Snow impacts, and the New Years Eve Flood 2005/2006. We look forward to working in partnership with EPA to protect and restore water quality, watershed condition, aquatic, and riparian habitat on tribal lands. The proposed projects will assist with Non Point Source impacts to groundwater resources and water resources within the Carson River Watershed. Please feel free to call Marie Barry, Environmental Director at (775) 265-8682 if you have any questions or need additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Waldo W. Walker".

Waldo W. Walker, Chairman

cc: WIEPD File
Grants Office

Tracking 10-283

OMB Number: 4040-0004
Expiration Date: 04/31/2012

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission		*2. Type of Application	*If Revision, select appropriate letter(s):
<input checked="" type="checkbox"/> Preapplication		<input checked="" type="checkbox"/> New	
<input type="checkbox"/> Application		<input type="checkbox"/> Continuation	* Other (Specify)
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision	
*3. Date Received:		4. Application Identifier:	
5a. Federal Entity Identifier:		*5b. Federal Award Identifier:	
State Use Only:			
6. Date Received by State:		7. State Application Identifier:	
8. APPLICANT INFORMATION:			
* a. Legal Name: Washoe Tribe of Nevada and California			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 88-0120754		*c. Organizational DUNS: 021982913	
d. Address:			
*Street1: 919 Highway 395 South Street 2: *City: Gardnerville County: Douglas *State: NV Province: Country: USA *Zip/ Postal Code: 89410			
e. Organizational Unit:			
Department Name: Washoe Environmental Protection Department		Division Name:	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix: Ms. First Name: Marie		*Last Name: Barry	
Suffix:		Title: Environmental Program Director	
Organizational Affiliation: Washoe Environmental Protection Department Director			
*Telephone Number: 775.265.8682		Fax Number: 775.265.3211	
*Email: marie.barry@washoetribe.us			



RECEIVED

MAY 11 2010

GMO, MTS-7

Version 02

Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type: I. Indian/Native American Tribal Government (Federally Recognized)

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U.S. Environmental Protection Agency (EPA), Office of Water, Office of Wetlands, Oceans, and Watersheds

11. Catalog of Federal Domestic Assistance Number:

66.460

CFDA Title:

Nonpoint Source Program

*12. Funding Opportunity Number: EPA-OW-OWOW-10-02

*Title: FY10 Request for Proposals from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Douglas and Carson City Counties, NV

*15. Descriptive Title of Applicant's Project:

Washoe Nonpoint Source 319h Base Program and Upper Clear Creek Parcel Project

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant

CA: 14 Doolittle NV: 2 Heller

*b. Program/Project:

NV: 2 Heller

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 10/1/10

*b. End Date: 12/31/11

18. Estimated Funding (\$):

*a. Federal

\$180,000.00

*d. Local

*b. Applicant

\$20,000.00

*e. Other

*c. State

*f. Program Income

*d. Local

*g. TOTAL

\$200,000.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ **I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.

*First Name: Aaron

Middle Name:

*Last Name: Smokey

Suffix:

*Title: Vice Chairman

*Telephone Number: 775.265.8600

Fax Number: 775.265.6240

*Email: aaron.smokey@washoetribe.us

*Signature of Authorized Representative:

Date Signed: 5/6/10

**Washoe Tribe of Nevada & California
319(h) Tribal Non-point Source Grant Application
10% Match Waiver Request**



The Washoe Tribe of Nevada & California requests a waiver of the 40% local match requirement to the 10 percent match requirement. The Tribe is experiencing severe fiscal distress. Specifically, the Tribe has been impacted by this fiscal hardship in the following ways.

Tribal Poverty Rate

The Final report by the BIA Advisory Budget Council to the Subcommittee on Economic Development states that real unemployment and underemployment in Indian country has placed more than 500,000 people, or on average more than 50% of the work force of Tribal populations who live on or near Indian reservations, at or below poverty levels. Indian country and reservations account for many of the poorest counties in the entire United States and that fact has not generally been alleviated by gaming operations, which fulfill only a fraction of the overall need for government services for most Tribal Nations. The Washoe Tribe of Nevada & California does not benefit from any gaming operations.

According to the 1993 Tribal Census, the Washoe Tribe had an overall unemployment rate of 42.6%. Households in which income is provided solely or in part by State or Federal (non-employment) sources is 2.3%. *Non-employment income statistics reflect AFDC 9.9%, Unemployment Insurance 2.9%, Social Security 12.6%, S.S.I. 6.4% and Disability Insurance 2.9%.*

Tribal Audit Revenue Table

AUDIT YEAR	REVENUES	GENERAL	SPECIAL REVENUE	CAPITOL PROJECTS	TOTAL
2001	Excise & Sales Taxes	\$943,346			
	Grants & Contracts		\$6,511,129		
	Indirect Cost Revenue	\$708,052			
	Interest	\$100,134	0		
	Other Revenue	\$629,159	\$1,098,436		
	Total 2001	\$2,380,691	\$7,609,565		\$9,990,256
2002	Excise & Sales Taxes	\$893,001			
	Grants & Contracts*		\$9,382,221*		
	Indirect Cost Revenue	\$967,614			
	Interest	\$202,342	\$135,489		
	Other Revenue	\$410,541	\$68,987		
	Total 2002	\$2,473,498	\$9,586,687		\$12,060,185
2003	Excise & Sales Taxes**	1,158,490			
	Grants & Contracts***		13,972,206		
	Indirect Cost Revenue	459,494			
	Interest	60,309	109,531		
	Other Revenue	1,298,107	256,707		
	Total 2003	2,976,400	14,338,444		17,314,844
2004	Excise & Sales Taxes	1,492,689			
	Grants & Contracts***		15,525,715		
	Indirect Cost Revenue	669,400			
	Interest	106,486	78,095		
	Other Revenue	1,295,527	1,175,472		
	Total 2004	3,564,102	16,779,282		20,343,384
2005	Excise & Sales Taxes	1,484,452			
	Grants & Contracts		16,887,385		
	Indirect Cost Revenue	1,391,667			
	Interest	175,542	74,798		
	Other Revenue	1,602,356	1,510,043		
	Total 2005	4,654,017	18,472,226		23,126,243

*The increase in Grants & Contracts revenue in 2002 was due to the Tribe taking over the accounting for the Washoe Health Clinic. The clinic grants amount to approx \$ 4.1 million. These funds were accounted for separately in the past.

**The increase in Excise & Sales Taxes revenue in 2003 was due to the increase from \$3.50 to \$8.00 per carton tax increase. We actually had declining sales by over 25%.

***The increase in Grants & Contracts revenue in 2003 was due to the new TANF program. It is virtually a pass-through grant that increased the Tribe's revenue by \$4 million in 2003 and an additional \$2.4 million in 2004.

Tribal Unemployment Rate

As would be expected from a 42.6% unemployment rate, the poverty level is very high on the reservation communities. In Alpine County, the Woodfords community has a population of 287 Native Americans and 97% of all households are low income, (below 80% of the county median), and recent studies in Woodfords and Dresslerville, show that 73% and 65%, of the households respectively, are very low income (below 50% of the county median).

Household income data from the 2000 Census for Douglas County residents indicates that 43% of American Indian households in the County make less than \$39,280 per year, while only 15% of the general population in the county makes less than that amount.

Observations from the 2000 Census data include:

1. Employment was approximately 30% less for Washoe households than for the state as a whole.
2. Households receiving disability were less than for the state as a whole.
3. Retirement benefits were much less for Washoe households than for the state as a whole.

Natural Disasters

Currently the Tribe is dealing with impacts from the New Years Eve Flood event that was declared a disaster FEMA-1629-DR-NV. Several miles of the Carson River corridor were impacted by the flood in addition to damage to Indian Creek, Clear Creek, NV Washoe Communities, infrastructure, and ranches. Estimated costs as to date, is over \$1,000,000.

During the winter 2005 two separate federal disasters for snow related damage impacted the tribal communities located in Nevada and California.

A wild land fire impacted the lands surrounding Carson Colony during August 14-27, 2004 and was declared a disaster FEMA-1540-DR-NV on August 26, 2004 by the President of the United States. The Tribe incurred unclaimed costs of evacuating and housing Carson Colony residents during the event. Approximately 206 acres of Tribal lands were impacted by the fire and a few residents lost outbuildings, landscaping, cars, and a trailer. Estimated costs for erosion control and hill slope bank stability are over \$480,000.

During the summer of 2003, the Carson Colony experienced 3 fires along the western boundary of the community. Although no structures were damaged, it demonstrates the risk this community faces from the wild land urban interface.



WASHOE TRIBE
OF NEVADA AND CALIFORNIA
ENVIRONMENTAL PROTECTION DEPARTMENT
919 US Hwy 395 South
Gardnerville, NV 89410
Phone 775-265-8680 Fax 775-265-3211

FACSIMILE TRANSMISSION

DATE 7/12/10 TIME 1435

TO Susan Chiu

FAX NUMBER 415 947-3566

FROM Marie Barry

SUBJECT

- Revised 424 A
- Equipment: Ink and Match was moved into the
Other line item as requested by the Project
Officer, revised 424 A.
- Ink and - Price is included but not highlighted 663.

Total Pages Sent
(including this cover page)

2

Please call our office at the above listed numbers if you do not receive the total number of pages as indicated, or if any portion of this transmission is illegible. The information contained within this facsimile transmission is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this telecopy is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above listed address via the United States Postal Service. We will remit reimbursement for the telephone call and postage. Thank you.

Revised June 25, 2010

OMB Approval No. 0348-0044

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. NPS 319	66.460	\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000.00
2.						
3.						
4.						
Totals		\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000.00

SECTION B - BUDGET CATEGORIES					
6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	14,199	74,561			88,760
b. Fringe Benefits	7,420	29,011			36,431
c. Travel	550	4,150			4,700
d. Equipment					
e. Supplies	238	2,409			2,647
f. Contractual	4,357	11,000		24,879	← 15,357
g. Construction					
h. Other	3,835	30,921		26,235	← 34,756
i. Total Direct Charges (sum of 6a-6h)	30,599	152,052		183,652	← 182,651
j. Indirect Charges	2,734	14,615		ok 16,348	← 17,349
k. TOTALS (sum of 6i and 6j)	\$ 33,333	\$ 166,667	\$	\$	\$ 200,000
7. Program Income	\$	\$	\$	\$	\$ 0.00

per budget detail

per budget detail

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Standard Form 424A (Rev 4-2012)
Prescribed by OMB Circular A-102

Previous Edition Usable

$$183,652 - 24,879 = 158,773 \times 11.44\% = 18,163$$

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

a. Personnel: (Program Staffing - include and indicate vacant positions)	Number in Position Class	Annual Salary Rate	Work Years	Personnel Costs
Position Title				
(1)	(2)	(3)	(4)	(5)
Environmental Director	1	92,040.00	.01	10,620.00
Environmental Coordinator	1	69,160.00	.01	6,318.00
Environmental Specialist II	6	48,630.40	.11	31,563.00
GIS Specialist	1	48,630.40	.01	351.00
Tribal Historic Preservation Officer	1	76,086.40	.01	732.00
Washoe Conservation Crew	3-5	31,324.80		25,000.00
Environmental Specialist I	3	36,545.60		8,785.00
Administrative Assistant I	2	40,185.60		2,898.00
Washoe Utility Management Authority Manager	1	69,160.00	.04	2,261.00
WUMA Technician II	3	44,210.00	.02	232.00
PERSONNEL CATEGORY TOTALS				88,760.00
b. FRINGE BENEFITS: TOTAL *				36,431.00
c. TRAVEL: TOTAL (Itemize below - See Sample pages)				4,700.00
Local travel: \$.50.5mi x 4,400 = \$2,200.00				
Non Local: Air fare/motel/conf. fees/per diem = \$2,000				
Fuel for equipment: 150 gal x \$3.33 = \$500				

SF 424B (4-88) Back

* \$.618 = Tribal match per M. Barry

Note: Tribal match Yellow highlight per M. Barry
S. Quinn

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

d. Equipment:

(1) List each item costing \$5,000 or more to be purchased for this project;

SUB-TOTAL

(2) List items costing less than \$5,000. You may list the items by groups, as appropriate.

Trailer to haul materials, equipment, and tools @ \$25/day x 30 days = \$750, 2 quads and 4x4 vehicle use for project mobilization 6 wks @ \$350/wk = \$4,200, dump truck @ \$750/wk x 3 wks = \$2,250, backhoe @ \$1,450/wk x 3 wks = \$4,350, misc. tools equip. use \$1,875.

13,425.00

moved to "other"
per M. Barry + EPA project officer
SCJ

SUB-TOTAL

~~13,425.00~~

COMBINED EQUIPMENT TOTAL

13,425.00

e. Supplies: List by groups, as appropriate.

General Office Supplies: \$53.71/mo x 14mo

738.00

Field Supplies:

1,909.00

SUPPLIES TOTAL

2,647.00

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BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

f. CONTRACTUAL: List each planned contract separately, type of services to be procured, proposed procurement method (i.e. small purchase, formal advertising, competitive negotiations or non-competitive negotiations) and the estimated cost. Also, please indicate if the proposed contract performance period will go beyond the budget period of assistance for which this application is submitted.	
Contractor for well closure	\$ 4,000.00
Contractor for engineering design, large rock and other materials needed to complete NPS projects <i>small purchase</i>	11,000.00
Equipment Rental	9,522.00
Lab fees (WUMA grnd water sampling) Task 3 NPS Base	357
COMBINED CONTRACTUAL TOTAL	\$ 24,879.00
g. CONSTRUCTION (N/A)	
h. OTHER: Explain by major categories any items not included in above standard budget categories. <u>Caution:</u> Do not include or proposed as a direct project cost, any cost that is indirect in nature (see OMB Circular A-87) or is included in the indirect cost pool on which the indirect cost rate (item j) is based.	
Communication/Maintenance: (cell phone, internet, landline, elect., maintenance etc.)	2,200.00
BMP materials: (piping, matting, seeds, plants, stakes, separator etc.)	5,000.00
Washoe Tribe: (cobble rock @ \$20/ yrd x 80 yds = \$1,600, woodchips @ \$15/ yrd x 15 yds = \$375, willow @ \$1.00/ft x 350/ft = \$350.00)	2,375.00
Fencing Materials	3,235.00
OTHER TOTAL	26,235 \$ 12,810.00
i. TOTAL DIRECT CHARGES: (Sum of Items a. through h.)	\$ 183,652.00
j. INDIRECT COSTS: (Attach a copy of your latest indirect cost agreement)	\$ 16,348.00
k. TOTAL PROPOSED PROGRAM COSTS (Sum of Items i. and j.)	
SHARE: FEDERAL 90 % GRANTEE 10 %	\$ 200,000.00

KEY PEOPLE LIST

Please show street address as well as Post Office Box Number where applicable.

AGENCY DIRECTOR

(Individual who is authorized to sign the assistance agreement application and award acceptance).

Name: Waldo W. Walker
Title: Chairman
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

PROGRAM DIRECTOR

(Technical program director; generally the same individual as the "contact person" in block #5 of the application).

Name: Marie Barry
Title: Environmental Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8682

FINANCE DIRECTOR

(This is the person who is responsible for (1) maintaining the accounting/financial management system supporting grant expenditures; (2) preparing financial reports; and (3) maintaining the Letter of Credit. If any of these responsibilities are located in another office, please so indicate by showing below the name(s), title(s) organization name(s), address and telephone.)

Name: Pauline Howe
Title: Finance Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

ASSURANCES - NON-CONSTRUCTION PROGRAM

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

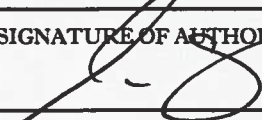
As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

Standard Form 424B (4-88)
Prescribed by OMB Circular A-102

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10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Vice Chairman
APPLICANT ORGANIZATION Washoe Tribe of Nevada and California	DATE SUBMITTED 5/6/10

EPA Project Control Number

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Aaron Smokey, Vice Chairman

Typed Name & Title of Authorized Representative


Signature and Date of Authorized Representative

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="checked" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input checked="checked" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input checked="checked" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input checked="checked" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Washoe Tribe of Nevada & California 919 Highway 395 South, Gardnerville, NV 89410 Congressional District, if known: CA:14 and NV:2			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency: U.S. Environmental Protection Agency			7. Federal Program Name/Description: Non Point Source Program CFDA Number, if applicable: 66.480		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ 180,000		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): NA			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. <small>ation requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</small>			Signature:  Print Name: Aaron Smokey Title: Vice Chairman Telephone No.: 775.265.8600 Date: 5/6/10		
Federal Use Only:				Authorized for Local Reproduction Standard Form LLL (Rev. 4/2012)	

**Preaward Compliance Review Report for
All Applicants and Recipients Requesting EPA Financial Assistance**

Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code).		DUNS No.
Washoe Tribe of Nevada and California		021982913
II. Is the applicant currently receiving EPA assistance? Yes		
III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) None		
IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) None		
V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3)) None		
VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below. <div style="display: flex; justify-content: space-around;">Yes<input checked="" type="checkbox"/> No</div>		
a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b). <div style="display: flex; justify-content: space-around;">YesNo</div>		
b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies. <div style="display: flex; justify-content: space-around;">YesNo</div>		
VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) <div style="display: flex; justify-content: space-around;">YesNo</div>		
a. Do the methods of notice accommodate those with impaired vision or hearing? <div style="display: flex; justify-content: space-around;">YesNo</div>		
b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? <div style="display: flex; justify-content: space-around;">YesNo</div>		
c. Does the notice identify a designated civil rights coordinator? <div style="display: flex; justify-content: space-around;">YesNo</div>		
VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a)) Yes		
IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166) Yes		
X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. Don Johnson, Training and Staff Development Coordinator, 919		
XI.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures. Yes. http://washoetribe.us		
For the Applicant/Recipient		
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.		
A. Signature of Authorized Official	B. Title of Authorized Official Vice Chairman	C. Date 5/6/10
For the U.S. Environmental Protection Agency		
I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.		
A. Signature of Authorized EPA Official	B. Title of Authorized EPA Official	C. Date
<small>See ** note on reverse side</small>		

*5/24 walked up
to B. J. + Camp.*

**Indian Organizations
Indirect Cost Negotiation Agreement**

EIN: 88-0120754

Organization:

Washoe Tribe of Nevada and California,
919 US Highway 395 South
Gardnerville, Nevada 89410

Date: December 21, 2012

Report No(s): 13-A-0263

Filing Ref.:

Last Negotiation Agreement
dated March 9, 2011

The indirect cost rates contained herein are for use on grants, contracts, and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR 225 (OMB Circular A-87) apply, subject to the limitations contained in 25 CFR 900 and in Section II.A. of this agreement. The rates were negotiated by the U.S. Department of the Interior, National Business Center, and the subject organization in accordance with the authority contained in 2 CFR 225.

Section I: Rates

Type	Effective Period		Rate*	Locations	Applicable
	From	To			To
Fixed Carryforward	01/01/12	12/31/12	12.00%	All	ISDA (638)
Fixed Carryforward	01/01/12	12/31/12	11.97%	All	All Others

*Base: Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as major subcontracts, payments to participants, stipends to eligible recipients, and subgrants, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rates contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rates agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposals, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposals upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. New indirect cost proposals are necessary to obtain approved indirect cost rates for future fiscal or calendar years. The proposals are due in our office 6 months prior to the beginning of the year to which the proposed rates will apply.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the Indian Organization:



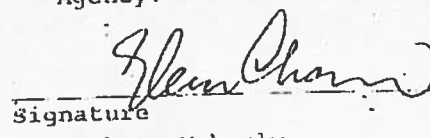
Signature

Lloyd Wyatt
Name (Type or Print)

Vice Chairman
Title

12/19/12
Date

By the Cognizant Federal Government
Agency:



Signature

for Deborah A. Moherly
Name

Indirect Cost Coordinator
Indirect Cost Services
Title

U.S. Department of the Interior
National Business Center
Agency

Date DEC 21 2012
Negotiated by Elena Chan
Telephone (916) 566-7102

WASHOE TRIBE OF NEVADA AND CALIFORNIA

INDIRECT COST RATE PROPOSAL

FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010

INTRODUCTION

The Washoe Tribe of Nevada and California has received an indirect cost rate from the Department of the Interior since Calendar Year (CY) 1996. The proposed direct cost base is based upon estimated budgets for all programs to be administered by the Tribe during the period January 1, 2010 to December 31, 2010. All Federal, State, and Tribal Programs have been included in the proposal.

We have also included audited financial statements for the CY 2008. Using the CY 2008 figures, we determined that the Tribe had an actual over recovery of \$(13,838) which in accordance with P.L. 100-472, is included in the computation of the Tribe's CY 2010 proposed rate. We have proposed a fixed carry forward rate of 11.95% for our ISDA 638 programs and 11.75% for all other programs for the Tribe's CY 2010. This rate is based on total direct costs less capital expenditure, pass-through funds and other unallowable costs.

The individuals to contact in regard to this proposal are:

Pauline B. Howe, Chief Financial Officer
Washoe Tribe of Nevada and California
919 U.S. HWY 395 South
Gardnerville, NV 89410
775-765-8600 extension 1123
Email: phowe@washoetribe.us
Fax: 775-265-3767

or:

Preston Pete, Accounting Manager
Washoe Tribe of Nevada and California
919 U.S. HWY 395 South
Gardnerville, NV 89410
775-765-8600 extension 1128
Email: ppete@washoetribe.us
Fax: 775-265-8652

EIN: 88-0120754

WASHOE TRIBE OF NEVADA AND CALIFORNIA

INDIRECT COST RATE PROPOSAL

FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010

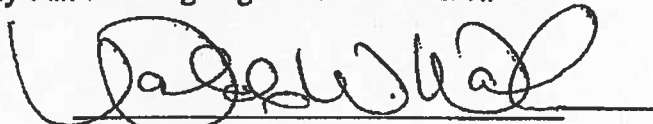
Certification of Indirect Costs

This is to certify that I have reviewed the indirect cost rate proposal submitted herewith and to the best of my knowledge and belief:

- (1) All costs included in this proposal dated February 17, 2010 to establish billing or final indirect costs rates for period starting January 1, 2010 to December 31, 2010 are allowable in accordance with the requirements of the Federal agreement(s) to which they apply and with the cost principles applicable to those agreements.**
- (2) This proposal does not include any costs which are not allowable under applicable cost principles, such as (without limitation): Advertising and public relation costs, entertainment costs, fines and penalties, lobbying costs, and defense and prosecution of criminal and civil proceedings.**
- (3) Any costs excluded from this proposal, such as Tribal enterprises, gaming operations, and Tribal schools and programs, including all or portions of the general fund, are separately administered and do not benefit from tribal administration included in the indirect cost proposal.**
- (4) All costs included in this proposal are properly allocable to Federal agreements on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.**

I declare under penalty of perjury that the foregoing is true and correct.

Signature:



Date:

2/17/10

Name:

Waldo W. Walker

Title:

Chairman

Name of Organization:

Washoe Tribe of NV and CA

**Indian Organizations
Indirect Cost Negotiation Agreement**

EIN: 88-0120754

Organization:

Washoe Tribe of Nevada and California
919 U.S. Highway 395 South
Gardnerville, Nevada 89410

Date: October 19, 2009

Report No(s): 10-A-067

Filing Ref.:

Last Negotiation Agreement
dated April 6, 2009

The indirect cost rate contained herein is for use on grants, contracts, and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR 225 (OMB Circular A-87) apply, subject to the limitations contained in 25 CFR 900 and in Section II.A. of this agreement. The rate was negotiated by the U.S. Department of the Interior, National Business Center, and the subject organization in accordance with the authority contained in 2 CFR 225.

Section I: Rate

Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	01/01/09	12/31/09	11.44%	All	All Programs

*Base: Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as major subcontracts, payments to participants, stipends to eligible recipients, and subgrants, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rate contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation agreement.